

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IRIS MANAGEMENT GROUP,

Plaintiff,

vs.

MALAN,

Defendant.

Case No.: 2:08-CV-00857-RCJ(RJJ)

AMENDED

**ORDER OF DISMISSAL WITHOUT
PREJUDICE PURSUANT TO LOCAL
RULE 41-1**

The Court filed the Notice to Counsel Of Intent to Dismiss For Want of Prosecution pursuant to Local Rule 41-1 (ECF No. 326) on March 7, 2011. Plaintiff has not complied with the Notice within the allotted time.

“Before dismissing the action, the district court is required to weigh several factors: (1) the public’s interest in expeditious resolution of litigation; (2) the court’s need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions.” Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995) (internal citations and quotations omitted). All five factors point in favor of dismissal.

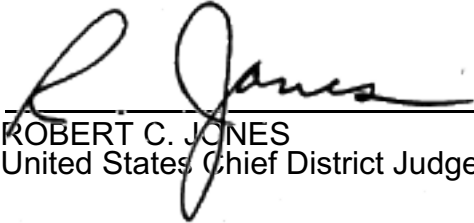
Plaintiff has failed to show good cause why this action should not be dismissed without prejudice for want of prosecution pursuant to Local Rule 41-1.

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1 IT THEREFORE ORDERED that this action is DISMISSED without prejudice for
2 Plaintiff's failure to comply with the Court's Notice of Intention to Dismiss pursuant to Local
3 Rule 41-1 (ECF NO. 326). The Clerk of the Court shall close case accordingly.

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5 Dated this 19th day of September, 2011.

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9 ROBERT C. JONES
United States Chief District Judge